

MEMBER SERVICES

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TOMORROW'S FORECAST

* The House will reconvene for its 39th Legislative Day on Tuesday, March 28, at 10:00 am.

* 15 bills are expected to be debated on the floor.

GEORGIA HOUSE OF REPRESENTATIVES

DAILY REPORT

MONDAY, MARCH 27, 2006

LEGISLATIVE DAY# 38

TODAY ON THE FLOOR

Speaker of the House, Rep. Glenn Richardson, gavelled the House into session today, at 10:00 am, for the 38th Legislative Day of the 2nd Session of the 148th General Assembly. An "Adjournment Resolution" was adopted today on the House floor that sets the schedule for the House of Representatives to Sine Die on Thursday, March 30 (Legislative Day # 40). The House will be in session on Tuesday, March 28 (Legislative Day #39), but will take Wednesday, March 29, off as an unofficial "Skip Day" prior to Sine Die.

MOTION TO INSIST

HB1390 State Board of Optometry; change certain provisions relating to creation

- **Authored By:** Rep. Earl Ehrhart

- **House Committee:** Rules

- **Motion to Insist on the House version of the bill requires that a Conference Committee be named to negotiate a final version of the bill.**

- **Conference Committee Members:** Rep. Mike Coan, Earl Ehrhart, and Tommy Smith

MOTION TO RECEDE

SB0209 Public Service Commission; change time period for issuance; gas supply plan

- **Authored By:** Sen. Doug Stoner

- **House Committee:** Public Utilities & Telecommunications

- **Motion to Recede represents Final Passage of this bill.**

MOTION TO AGREE

HB0111 Sales and use tax; change certain definitions

- **Authored By:** Rep. Larry O'Neal

- **House Committee:** Ways & Means

- **Motion to Agree to the Senate version represents Final Passage of this bill.**

HB1320 Environmental offenses; littering; revise provisions

- **Authored By:** Rep. Lynn Smith

- **House Committee:** Judiciary Non-Civil

- **Motion to Agree to the Senate version represents Final Passage of this bill.**

HB1421 Demand for trial; defendant present in court; require

- **Authored By:** Rep. Barry Fleming

- **House Committee:** Judiciary

- **Motion to Agree to the Senate version represents Final Passage of this bill.**

HR1306 Condemnation of property; redevelopment purposes; approved by vote; require

- **Authored By:** Rep. Rich Golick
- **House Committee:** Judiciary
- *Motion to Agree to the Senate version represents Final Passage of this bill.*

MOTION TO DISAGREE

HB1090 Public works; exercise of power to contract by Department of Transportation; amend

- **Authored By:** Rep. Ben Harbin
- **House Committee:** Transportation
- *Motion to Disagree to the Senate version sends the bill back to the Senate.*

HB1216 All-terrain vehicles; law enforcement agencies; allow use

- **Authored By:** Rep. Allen Freeman
- **House Committee:** Motor Vehicles
- *Motion to Disagree to the Senate version sends the bill back to the Senate.*

DEBATE CALENDAR

SB0077 Feticide; parental notification; define/eliminate terms; provide reports

- This bill revises the definition of feticide to prohibit the voluntary manslaughter of an unborn child, and to prohibit assaults and batteries of unborn children under certain circumstances. The assault and battery of an unborn child would be punished as a misdemeanor, the crime of voluntary manslaughter of an unborn child would be punished as a felony with a prison sentence of 1-20 years.
- **Authored By:** Sen. Renee Unterman
- **Presented By:** Rep. Sue Burmeister
- **Special House Rules Applied:** Open
- **House Committee:** Judiciary Non-Civil
- **Yea:** 155 **Nay:** 0

SB0115 MARTA; reserve fund interest income used to pay operating cost; provision

- The intent of this legislation is to extend one of the provisions of the "Metropolitan Atlanta Rapid Transit Authority Act of 1965" until June 30, 2016. The provision allows the interest income from certain reserve funds to be used for the funding of operating costs. The proceeds of the tax levied may be used to fulfill these obligations as long as the amount does not exceed 50% of the annual proceeds from January 1, 2002 until July 1, 2006. The following fiscal year will permit a maximum of 55% of the proceeds used for funding. The 50% cap will resume on July 1, 2007 and remain as such until July 1, 2032. Additionally, until June 30, 2016, operating costs of the system may be paid by the interest earned through other capital assets if expressly approved by the Board.
- **Authored By:** Sen. Gloria Butler
- **Presented By:** Rep. Jill Chambers
- **Special House Rules Applied:** Modified Open
- **House Committee:** Special Committee on MARTA
- **Yea:** 160 **Nay:** 0

SB0306 Hospital/Nursing Home Liens; change notice/filing provision; effect of release

- Provides a statute of limitations for the filing of a lien by hospitals, physicians and burn centers.
- **Authored By:** Sen. Bill Hamrick
- **Presented By:** Rep. Wendell Willard
- **Special House Rules Applied:** Open
- **House Committee:** Judiciary
- **Yea:** 162 **Nay:** 2

SB0420 Care of a Grandchild Act; power of attorney from parent to grandparent; create pilot program to provide subsidy to certain grandparents

- Allows that parents may delegate to grandparents of a minor child powers of attorney and provides for a pilot program to provide for subsidies for certain grandparents raising grandchildren
- **Authored By:** Sen. Renee Unterman
- **Presented By:** Rep. Sue Burmeister
- **Special House Rules Applied:** Modified Open
- **House Committee:** Judiciary
- *Motion to Recommit the bill to the Rules Committee was adopted.*

SB0442 Child Abuse; reporting; change certain provisions

- Concerning child abuse, SB 442 would not allow a person in charge of a hospital, school, agency or facility to change the information provided by a reporter of child abuse. SB 442 also requires the child abuse to be reported within 24 hours from when the abuse was believed to have taken place. Finally, SB 442 would allow photographs of the abuse to reveal the identity of the subject.

- **Authored By:** Sen. Dan Moody
- **Presented By:** Rep. Sue Burmeister
- **Special House Rules Applied:** Modified Open
- **House Committee:** Children & Youth
- **Yea:** 139 **Nay:** 0

SB0450 Ad Valorem Taxation of Property; revise pay structure of certain county officers/officials; provide recalculation of min. salaries

- This bill revises the pay structure for certain county officers and officials and revises the minimum salary schedules of pay for sheriffs, tax commissioners, clerks of superior court, and judges of probate court. Further, SB 450 provides for longevity pay increases for certain members of county governing authorities.

- **Authored By:** Sen. Brian Kemp
- **Presented By:** Rep. Mark Butler
- **Special House Rules Applied:** Modified Open
- **House Committee:** Governmental Affairs
- **Yea:** 110 **Nay:** 47

SB0465 General Provisions, O.C.G.A.; correct errors/omissions; reenact the statutory portion; provide necessary revisions/modernizations

- Corrects typographical and other errors in the Code and revises and modernizes other sections of the Official Code of Georgia Annotated

- **Authored By:** Sen. David Adelman
- **Presented By:** Rep. Wendell Willard
- **Special House Rules Applied:** Open
- **House Committee:** Judiciary
- **Yea:** 151 **Nay:** 0

SB0466 General Provisions, O.C.G.A.; correct errors/omissions in Title 47

- Corrects typographical, stylistic, and other errors and omissions in Title 47.

- **Authored By:** Sen. David Adelman
- **Presented By:** Rep. Wendell Willard
- **Special House Rules Applied:** Open
- **House Committee:** Judiciary
- **Yea:** 152 **Nay:** 0

SB0467 General Provisions, O.C.G.A.; correct errors/omissions in Title 21

- Corrects typographical, stylistic and other errors and omissions in Title 21.

- **Authored By:** Sen. David Adelman
- **Presented By:** Rep. Wendell Willard
- **Special House Rules Applied:** Open
- **House Committee:** Judiciary
- **Yea:** 154 **Nay:** 0

SB0481 Motor Vehicles; registration/licensing; permit military personnel; minimum motor vehicles liability insurance through purchase in other states

- SB 481 permits military personnel whose vehicles are registered in Georgia and have Georgia license plates who are stationed in other states as part of their military assignments and duties to meet their obligations concerning minimum motor vehicle liability insurance through the purchase of certain insurance in such other states.

- **Authored By:** Sen. Bill Stephens
- **Presented By:** Rep. Ron Forster
- **Special House Rules Applied:** Open
- **House Committee:** Motor Vehicles
- **Yea:** 158 **Nay:** 0

SB0484 Colquitt, City of; declare as Georgia's First Mural City

- This legislation relates to state symbols. It will make the City of Colquitt, Georgia's First Mural City. Colquitt-Miller Arts Council, Inc. strives to encourage, enrich, and stimulate the practice and appreciation of the arts among the people living in

that area. The Colquitt Millennium Mural Project strives to beautify the downtown area with different styles of mural artwork, create more tourism and revitalize the local economy.

- **Authored By:** Sen. John Bulloch
- **Presented By:** Rep. Gerald Greene
- **Special House Rules Applied:** Open
- **House Committee:** Special Rules
- **Yea:** 152 **Nay:** 1

SB0525 Tax Executions; change provisions regarding issuance; definition; procedures

- Provides that the owner of record will be responsible for delinquent taxes bills unless, within ninety days, it can be proven that payment of ad valorem taxes have been transferred to a new records owner.
- **Authored By:** Sen. Tommie Williams
- **Presented By:** Rep. Barry Fleming
- **Special House Rules Applied:** Open
- **House Committee:** Judiciary
- **Yea:** 141 **Nay:** 0

SB0562 Georgia Higher Education Facilities Authority Act; create

- This bill creates the Georgia Higher Education Facilities Authority as a body corporate and political and as an instrumentality of the state. It also provides that it shall be a public corporation. It provides for the members of the authority and their appointment, service, and compensation. It provides for the powers, duties, and operations of the authority. It further provides for tax-exempt status for the authority.
- **Authored By:** Sen. Dan Weber
- **Presented By:** Rep. Bill Hembree
- **Special House Rules Applied:** Open
- **House Committee:** Higher Education
- **Yea:** 140 **Nay:** 14

SB0573 Land Transactions; development of condominium property; escrow funds

- Provide a that the seller may withdraw escrow funds in excess of 1 percent of the purchase price of a condominium in order to fund construction and development of the condominium property
- **Authored By:** Sen. Joseph Carter
- **Presented By:** Rep. Wendell Willard
- **Special House Rules Applied:** Open
- **House Committee:** Judiciary
- **Yea:** 161 **Nay:** 1

SB0597 Tax Appeal Procedures; recovery of certain appeal costs by taxpayer; change provisions

- This bill allows for recovery costs on a valuation appeal by a taxpayer if the final determination of value on appeal is 85% or less of the valuation set by the county board of tax assessors. Current law requires the county board of equalization to set the value. The substitute changed the effective date from July 1, 2006 to upon the Governor's signature.
- **Authored By:** Sen. Chip Pearson
- **Presented By:** Rep. Jack Murphy
- **Special House Rules Applied:** Structured
- **House Committee:** Ways & Means
- **Yea:** 161 **Nay:** 0

SB0636 Biodiesel Fuel; define

- This bill would designate a definition for biodiesel fuel to mean the standard as adopted by the American Society of and Testing and Materials standard D-6751. This bill would make it a misdemeanor to produce biodiesel fuel for sale that does not meet the D-6751 Standard.
- **Authored By:** Sen. John Bulloch
- **Presented By:** Rep. Chuck Sims
- **Special House Rules Applied:** Open
- **House Committee:** Agriculture & Consumer Affairs
- **Amendments:** AM 25 0935 - Adopted
- **Yea:** 165 **Nay:** 0

SR0785 Joint Comprehensive State Trauma Services Study Committee; create

- This resolution would create the Joint Comprehensive State Trauma Services Study Committee, to investigate the outlay and provision of trauma care services in Georgia.
- **Authored By:** Sen. Eric Johnson

- **Presented By:** Rep. Ron Stephens
- **Special House Rules Applied:** Structured
- **House Committee:** Health & Human Services
- **Yea:** 144 **Nay:** 0

SR0793 Ga. Public Defender Standards Council; ratifying the initial minimum standard; Standard for Removal for Cause

- Ratifies the performance standards set by the Public Defenders' Standards Council for removal of a circuit public defender for cause
- **Authored By:** Sen. Bill Hamrick
- **Presented By:** Rep. David Ralston
- **Special House Rules Applied:** Open
- **House Committee:** Judiciary Non-Civil
- **Yea:** 149 **Nay:** 0

FLOOR ACTION ON POSTPONED LEGISLATION

SB0288 Grade Integrity Act; teacher not required to change grade; ethical violation

- This bill provides that no classroom teacher shall be requires, coerced, intimidates, or disciplined in any manner to change the grade of a student, and if the aforementioned occurs, it shall constitute an ethics violation reportable to the Professional Standards Commission. This shall not prevent a school administrator from discussing a student's grade with a teacher. This does not prevent a central office administrator, superintendent or local school administrator from changing the grade provided that the person responsible for the change must be indicated on the student's record. Finally, no classroom teacher may be dismissed due to a disagreement stemming from disputes over grades.
- **Authored By:** Sen. Chip Rogers
- **House Committee:** Education
- **Yea:** 165 **Nay:** 0

SB0480 Georgia Qualified Medication Aides Act; provide for delegation of certain nursing tasks; Georgia Board of Examiners of Licensed Practical Nurses

- This bill sets up the regulatory environment for allowing "qualified medical aides" to work under the supervision of LPNs or APRNs in DHR operated or supported home living communities for disabled or mentally impaired persons.
- **Authored By:** Sen. Renee Unterman
- **House Committee:** Health & Human Services
- **Yea:** 163 **Nay:** 3

** The House will reconvene Tuesday, March 28 at 10:00 am for its 39th Legislative Day of the 2nd Regular Session of the 148th General Assembly.*

COMMITTEE ON RULES

The Committee on Rules today has fixed the calendar for the 39th Legislative Day, Tuesday, March 28, as enumerated below, and can be called at the pleasure of the Speaker of the House.

DEBATE CALENDAR

SB0382 Child Support; calculations; definitions; appeal process; change provisions

- Reorganizes the requirements for child support obligations and creates the Basic Child Support Obligation Table to obtain appropriate child support amounts
- **Authored By:** Sen. Seth Harp
- **Special House Rules Applied:** Modified Structured
- **House Committee:** Judiciary

SB0415 HERO; provide surviving spouses shall be eligible students

- This bill expands the Georgia HERO Scholarship to provide that a person evacuated form a combat zone due to severe injuries shall be deemed to have completed a qualifying term of service.
- **Authored By:** Sen. John Douglas

- **Special House Rules Applied:** Open
- **House Committee:** Higher Education

SB0419 Lottery Proceeds; provide method to recover delinquent child support payments; change certain provisions

- This bill would provide a method to recover delinquent child support payments from certain lottery proceeds, and would amend Chapter 6 of Title 19 to require the child support enforcement agency to present claims for delinquent child support with the Georgia Lottery Corporation for the protection of the interest of the state and families owed delinquent due child support.
- **Authored By:** Sen. Seth Harp
- **Special House Rules Applied:** Modified Structured
- **House Committee:** Judiciary

SB0427 Public Retirement Systems Investment Authority Law; define terms; alternative investments

- This bill would be known as the "Public Retirement Systems Investment Authority Law," and would provide that certain public retirement systems may invest retirement system assets in certain types of alternative investments, private placements, and other private investments, and would shield information related to such investment from public scrutiny. The bill would provide for a code of ethics, and amend Code Section 50-18-72 so as to exempt certain public records from public inspection.
- **Authored By:** Sen. Judson Hill
- **Special House Rules Applied:** Open
- **House Committee:** Judiciary

SB0455 Privacy; customer proprietary network information broker; obtain or release customer information; provide penalties; exceptions

- This bill prohibits telephone records brokers from obtaining or releasing certain customer information. The bill exempts law enforcement agencies engaged in their lawful duties. The punishment for violation of the Code Section would be a fine not to exceed \$10,000.00.
- **Authored By:** Sen. David Shafer
- **Special House Rules Applied:** Open
- **House Committee:** Judiciary Non-Civil

SB0462 Sheriffs; authority of courthouse security; remove courthouses/jails from list of properties protected

- Amends 15-16-10 so as to mandate that a security plan be prepared for all county courthouses and that said plan be submitted to the chief judge of the superior court. Further removes courthouses and jails from properties protected by the sheriff.
- **Authored By:** Sen. Joseph Carter
- **Special House Rules Applied:** Open
- **House Committee:** Judiciary Non-Civil

SB0503 Ga. Public Defender Standards Council; legal services to indigent persons; change provisions

- Changes certain provisions relating to the Georgia Public Defender Standards Council and the provision of legal services to indigent persons, clarifies that the application fee for indigent defense services is not a prerequisite to obtaining legal services, specifies the types of standards that shall be submitted to the General Oversight Committee for the Georgia Public Defender Standards Council, and changes certain provisions relating to the budget for the Office of the Georgia Capital Defender
- **Authored By:** Sen. Bill Hamrick
- **Special House Rules Applied:** Open
- **House Committee:** Judiciary Non-Civil

SB0533 Statutory Living Will Form; revise

- This bill modifies the current statutory living will form and makes plain that those living wills that are similar to the previous form remain valid. Changes include having the executor initial certain terms and updating Code language.
- **Authored By:** Sen. John Bulloch
- **Special House Rules Applied:** Open
- **House Committee:** Judiciary

SB0534 Trustee's Compensation schedule of conservators

- Relates to compensation for services, so as to specify that when a trustee's compensation is not specified in the trust

instrument it shall be based on the compensation schedule of conservators.

- **Authored By:** Sen. John Bulloch
- **Special House Rules Applied:** Open
- **House Committee:** Judiciary

SB0572 Medical Assistance Managed Care Fraud; establish; define crime; administrative hearings/appeals; change certain prov.

- Bill amends 49-4-146.1 so as to add managed care organizations operated and/or funded by the Georgia Medicaid program to be considered a provider. This allows any fraud brought against such facilities to be prosecuted under said statute. Bill further amends 49-4-153 so as to change certain provisions regarding hearings and procedures before an Administrative Law Judge.
- **Authored By:** Sen. Greg Goggans
- **Special House Rules Applied:** Open
- **House Committee:** Judiciary Non-Civil

SB0588 Social Security Numbers; prohibit the use/display of; specified circumstances

- This bill prohibits persons (corporate or otherwise) from posting or displaying social security numbers on an internet site unless a password is required and the website is secured. The proposed new Code section would not apply to disclosures required by state or federal law.
- **Authored By:** Sen. Chip Rogers
- **Special House Rules Applied:** Open
- **House Committee:** Judiciary

SB0610 Charter Schools; virtual/remote setting; computer/internet based instruction for students

- This bill clarifies current law by adding language to the charter school language that would allow virtual instruction in a charter school.
- **Authored By:** Sen. Dan Moody
- **Special House Rules Applied:** Modified Open
- **House Committee:** Education

SR0804 North Fulton Boundary Commission; create

- SR 804 creates the North Fulton Boundary Commission.
- **Authored By:** Sen. Dan Moody
- **Special House Rules Applied:** Open
- **House Committee:** Governmental Affairs

SR0954 Performance Standards; ratifying the initial minimum standard; fiscal impact

- Ratifies the performance standards set by the Public Defenders' Standards Council for criminal defense representation for indigent defendants
- **Authored By:** Sen. Bill Hamrick
- **Special House Rules Applied:** Open
- **House Committee:** Judiciary Non-Civil

SR0955 Performance Standards in Juvenile Court; ratifying the initial minimum standard; fiscal impact

- Ratifies the performance standards set by the Public Defenders' Standards Council for criminal defense representation for juvenile defendants
- **Authored By:** Sen. Bill Hamrick
- **Special House Rules Applied:** Open
- **House Committee:** Judiciary Non-Civil

** The Rules Committee will next meet on Tuesday, March 28 at 9:00 am to set the Debate Calendar for the 40th Legislative Day.*

COMMITTEE ACTION REPORT

SB0216 Public Libraries; delete references; State Law Library

- Bill amends Code Section 20-5-2 of the O.C.G.A., relating to the powers and duties of the board of regents and the director of University of Georgia Libraries relative to state public libraries; Code Section 36-80-19 of the O.C.G.A., relating to the codification of ordinances and resolutions of local governments; and Code Section 45-13-22 of the O.C.G.A., relating to the distribution of the Georgia Laws and the Journals of the House of Representatives and the Senate, so as to delete references to the State Law Library.

- **Authored By:** Sen. Judson Hill

- **Committee Action:** Do Pass

Public Utilities & Telecommunications

SB0425 Georgia Child, Family, and School Communications Protection; enact; provide conditions for registration

- NO SUMMARY AVAILABLE

- **Authored By:** Sen. Greg Goggans

- **Committee Action:** Do Pass by Committee Substitute

** Committee action reports are edited for this report. For full content, please contact the House Committee Services Office at 404-656-3206. Bills passing committees are reported to the Clerk's Office and are then placed on the General Calendar for Rules Consideration.*

COMMITTEE BROADCAST SCHEDULE

TUESDAY, MARCH 28, 2006

8:00 am Committee on Rules
341 CAP

** To view the committee broadcast, please the Georgia Legislative Network's link at www.legis.ga.gov.*

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